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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLISON KAREN, individually; GUDRUN
KAREN, individually,

Plaintiffs,

vs.

UNITED SERVICES AUTOMOBILE
ASSOCIATION, an insurance exchange; USAA
CASUALTY INSURANCE COMPANY, a
foreign corporation doing business in Nevada;
GARRISON PROPERTY AND CASUALTY
INSURANCE COMPANY, a foreign
corporation doing business in Nevada; AUTO
INJURY SOLUTIONS, INC., a foreign
corporation doing business in Nevada; DOES I
through X, and ROE CORPORATIONS XI
through XX, inclusive,

Defendant.

Case No.: 2:24-CV-02089-CDS-DJA

DISCOVERY PLAN AND SCHEDULING ORDER
SUBMITTED IN COMPLIANCE WITH LR 26-1

1. Meeting. Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(d), a meeting was held on January 29, 2025 and was attended by:

Joseph R. Smith, Esq. for Plaintiffs

Jeffrey Bollers, Esq. for Defendants United Services Automobile Association; USAA Casualty Insurance Company and Garrison Property and Casualty Insurance Company

Amy Cook Olson, Esq. for Defendant Auto Injury Solutions, Inc.

2. Pre-Discovery Disclosures. Pursuant to Fed. R. Civ. P. Rule 26(a)(1), the parties will

1 serve their initial disclosures, including any Computation(s) of Damages required pursuant to Fed. R.
2 Civ. P. 26(a)(i)(A)(iii) by **February 12, 2025**.

3 3. Areas of Discovery. The parties agree that the areas of discovery should include all
4 claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

5 4. Discovery Cut-Off Date. The last day to conduct discovery, which is one hundred eighty
6 (180) days measured from December 18, 2024, which is the date the first defendant answered or
7 otherwise appeared in the case, shall be **Monday, June 16, 2025**.

8 5. Amending the Pleadings and Adding Parties. The last day to file any motion(s) to amend
9 pleadings or to add parties, which is ninety (90) days before the discovery cut-off deadline, shall be
10 **Tuesday, March 18, 2025**.

11 6. FRCP 26(A)(2) Disclosures (Experts).

12 a. The last day to disclose initial expert witnesses, which is sixty (60) days before the
13 discovery cut-off deadline, shall be **Thursday, April 17, 2025**.

14 b. The last day to disclose rebuttal expert witnesses, which is thirty-two (32)¹ days
15 after the deadline to disclose initial expert witnesses, shall be **Monday, May 19, 2025**.

16 7. Dispositive Motions. The last day to file any dispositive motions, which is thirty (30)
17 days after the discovery cut-off deadline, shall be **Wednesday, July 16, 2025**.

18 8. Pre-Trial Order. The Joint Pretrial Order shall be filed by **Friday, August 15, 2025**,
19 which is not more than thirty (30) days after the date set for filing dispositive motions in the case. This
20 deadline is suspended if dispositive motions are timely filed.

21 9. Fed. R. Civ. P. 26(a)(3) Disclosures. Unless the discovery plan otherwise provided and
22 the Court so orders, the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall
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27 ¹ This deadline falls on Saturday, May 17, 2025. As a result, this deadline extends to the next court day
28 of Monday, May 19, 2025, by operation of FRCP 6.

1 be included in the pretrial order.

2 10. Extensions or Modifications of the Discovery Plan and Scheduling Order. LR 26-3
3 governs modifications or extensions of this Discovery Plan and Scheduling Order. Any stipulation or
4 motion to extend a deadline set forth in the Discovery Plan and Scheduling Order must be made not later
5 than 21 days before the subject deadline.

6 11. Court Conferences. If the Court has questions regarding the dates proposed by the parties,
7 the parties request a conference with the Court before entry of the Scheduling Order. If the Court does
8 not have questions, the parties do not request a conference with the Court.

9 12. Format of Discovery. Pursuant to the electronic discovery amendments to the Federal
10 Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-discovery issues
11 pertaining to the format of discovery at the Rule 26(f) conference. The parties do not anticipate
12 discovery of native files or metadata at this time, but each party reserves the right to make a showing for
13 the need of such electronic data as discovery progresses.

14 13. Alternative Dispute Resolution. The parties certify that they have met and conferred
15 about the possibility of using alternative dispute-resolution processes including mediation, arbitration,
16 and if applicable, early neutral evaluation.

17 14. Alternative Forms of Case Disposition. The parties certify they have considered consent
18 to trial by a magistrate judge under 28 U.S.C. §636(c) and Fed. R. Civ. P. 73 and the use of the Short
19 Trial Program (General Order 2013-01).

20 15. Electronic Evidence. The parties certify that they may present evidence in electronic
21 format to jurors for the purposes of jury deliberations in compliance with the Court's electronic jury
22 evidence display system.

23 ///

24 ///

1 DATED this 30th day of January, 2025.

2 ANGULO LAW GROUP

3 By /s/ Peter M. Angulo

4 PETER M. ANGULO, ESQ.

5 Nevada Bar No. 003672

6 JOSEPH R. SMITH, ESQ.

7 Nevada Bar No. 013961

8 5545 S. Mountain Vista Street, Suite F

9 Las Vegas, Nevada 89120

10 Attorneys for Plaintiffs

11 DATED this 30th day of January, 2025.

12 WILSON ELSEER MOSKOWITZ EDELMAN
13 & DICKER LLP

14 By /s/ Jeffrey Bollers

15 SHERI M. THOME, ESQ.

16 Nevada Bar No. 008657

17 JEFFREY BOLLERS, ESQ.

18 Nevada Bar No. 016501

19 6689 Las Vegas Blvd. South, Suite 200

20 Las Vegas, Nevada 89119

21 Attorneys for Defendants

22 United Services Automobile Association; USAA

23 Casualty Insurance Company and Garrison Property
24 and Casualty Insurance Company

DATED this 31st day of January, 2025.

McCORMICK BARSTOW LLP and
KLEIN COOK OLSON, LLC

By /s/ Jonathan Carlson

JONATHAN CARLSON, ESQ.

Nevada Bar No. 010536

8337 West Sunset Road, Suite 350

Las Vegas, Nevada 89113

AMY COOK OLSON, ESQ.

Colorado Bar No. 27237

2130 Resort Drive, Unit E

Steamboat Springs, CO 80487

Attorneys for Defendant Auto Injury Solutions, Inc.

SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rules 16-1 and 26-1.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 2/3/2025

Margaret Anthis

From: Bollers, Jeffrey <Jeffrey.Bollers@wilsonelser.com>
Sent: Wednesday, January 29, 2025 3:51 PM
To: Margaret Anthis; Amy Cook Olson; Jonathan Carlson; Thome, Sheri
Cc: Forrest, Jillian M.; Maile, Lani U.; Cheryl Schneider; Debbie DeArmond; Peter Angulo; Joseph Smith; Grant Hogan; Jake Olson
Subject: RE: Karen v. USAA
Attachments: Discovery Plan and Scheduling Order.usaa edits.docx

CAUTION: This email originated from outside of the organization. Be cautious when opening attachments or clicking links.

Margaret,

Thank you for circulating the Discovery Plan and Scheduling Order. I have made a few small revisions on behalf of the USAA Defendants using track changes in the attached draft. If there are no other edits, please file using my electronic signature.

Thanks,

Jeffrey Bollers
Attorney at Law
Wilson Elser Moskowitz Edelman & Dicker LLP
6689 Las Vegas Blvd. South, Suite 200
Las Vegas, NV 89119
702.727.1243 (Direct)
303.475.9637 (Cell)
702.727.1400 (Main)
702.727.1401 (Fax)
jeffrey.bollers@wilsonelser.com

From: Margaret Anthis <manthis@angulolawgroup.com>
Sent: Wednesday, January 29, 2025 2:22 PM
To: Amy Cook Olson <acookolson@kco-law.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Bollers, Jeffrey <Jeffrey.Bollers@wilsonelser.com>; Thome, Sheri <Sheri.Thome@wilsonelser.com>
Cc: Forrest, Jillian M. <Jillian.Forrest@wilsonelser.com>; Maile, Lani U. <Lani.Maile@wilsonelser.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>; Peter Angulo <pangulo@angulolawgroup.com>; Joseph Smith <jrs@angulolawgroup.com>; Grant Hogan <ghogan@Kco-law.com>; Jake Olson <jolson@kco-law.com>
Subject: RE: Karen v. USAA

EXTERNAL EMAIL This email originated from outside the organization.

Attached please find the Discovery Plan and Scheduling Order. Please let me know if we can use your e-signature. Pursuant to the Judge's Order we are to have this on file by January 31st.

Let me know if you have any changes.

Thanks.

Margaret Anthis

From: Tina Abrante <Tina.Abrante@mccormickbarstow.com>
Sent: Friday, January 31, 2025 8:46 AM
To: Amy Cook Olson; Margaret Anthis; Jonathan Carlson; Bollers, Jeffrey; Thome, Sheri
Cc: Forrest, Jillian M.; Maile, Lani U.; Cheryl Schneider; Debbie DeArmond; Peter Angulo; Joseph Smith; Grant Hogan; Jake Olson
Subject: RE: Karen v. USAA

CAUTION: This email originated from outside of the organization. Be cautious when opening attachments or clicking links.

Good morning Margaret,

With Jon and Amy's ok, you may place Jon's e-signature to the Discovery Plan and Scheduling Order. Thank you.

From: Amy Cook Olson <acookolson@kco-law.com>
Sent: Friday, January 31, 2025 8:44 AM
To: Tina Abrante <Tina.Abrante@mccormickbarstow.com>; Margaret Anthis <manthis@angulolawgroup.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Bollers, Jeffrey <Jeffrey.Bollers@wilsonelser.com>; Thome, Sheri <Sheri.Thome@wilsonelser.com>
Cc: Forrest, Jillian M. <Jillian.Forrest@wilsonelser.com>; Maile, Lani U. <Lani.Maile@wilsonelser.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>; Peter Angulo <pangulo@angulolawgroup.com>; Joseph Smith <jrs@angulolawgroup.com>; Grant Hogan <ghogan@Kco-law.com>; Jake Olson <jolson@kco-law.com>
Subject: RE: Karen v. USAA

Yes, I approve.

From: Tina Abrante <Tina.Abrante@mccormickbarstow.com>
Sent: Friday, January 31, 2025 9:21 AM
To: Amy Cook Olson <acookolson@kco-law.com>; Margaret Anthis <manthis@angulolawgroup.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Bollers, Jeffrey <Jeffrey.Bollers@wilsonelser.com>; Thome, Sheri <Sheri.Thome@wilsonelser.com>
Cc: Forrest, Jillian M. <Jillian.Forrest@wilsonelser.com>; Maile, Lani U. <Lani.Maile@wilsonelser.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>; Debbie DeArmond <Debbie.DeArmond@mccormickbarstow.com>; Peter Angulo <pangulo@angulolawgroup.com>; Joseph Smith <jrs@angulolawgroup.com>; Grant Hogan <ghogan@Kco-law.com>; Jake Olson <jolson@kco-law.com>
Subject: RE: Karen v. USAA

Good morning Margaret,

Jon stated that he is good with you placing his e-signature if Amy is good with the document. Amy, are you good with the document?

From: Amy Cook Olson <acookolson@kco-law.com>
Sent: Thursday, January 30, 2025 4:25 PM
To: Margaret Anthis <manthis@angulolawgroup.com>; Jonathan Carlson <Jonathan.Carlson@mccormickbarstow.com>; Bollers, Jeffrey <Jeffrey.Bollers@wilsonelser.com>; Thome, Sheri <Sheri.Thome@wilsonelser.com>
Cc: Forrest, Jillian M. <Jillian.Forrest@wilsonelser.com>; Maile, Lani U. <Lani.Maile@wilsonelser.com>; Cheryl Schneider